

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

EFD SPORTS, LLC,
Plaintiff,

V.

BALLY'S CORPORATION,
Defendant.

CIVIL ACTION NO. 4:24-CV-87-SDJ

**ORDER GRANTING DEFENDANT’S MOTION TO EXCLUDE
THE EXPERT REPORT, TESTIMONY, AND OPINIONS OF SCOTT HAKALA**

Defendant Bally's Corporation moved to exclude the expert report, testimony, and opinions for Scott Hakala ("Hakala"), pursuant to Federal Rules of Evidence 403, 702, and *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993). Having reviewed the motion, the Court finds that Mr. Hakala's anticipated testimony and opinions fails to satisfy the relevance and reliability standards required under Rule 702. Plaintiff has not met its burden to prove by a preponderance of the evidence that: (1) the testimony is relevant to an issue in the case or (2) the testimony is reliable. Accordingly, the motion is granted and testimony of Scott Hakala is excluded.